

Docket No.
1148/039

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

APPARATUS FOR MONITORING HEALTH, WELLNESS AND FITNESS

the specification of which
(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International
Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/595,660

June 16, 2000

Pending

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

09/602,537

June 23, 2000

Pending

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Philip E. Levy, Esq., Reg. No. 40,700

Barry I. Friedman, Esq., Reg. No. 33,695

Leland P. Schermer, Esq., Reg. No. 31,419

Thomas Lizzi, Esq., Reg. No. 35,252

Michael H. Imbacuan, Reg. No. 47,674

Send Correspondence to: **Philip E. Levy, Esq.**
Metz Schermer & Lewis, LLC
11 Stanwix St., 18th Floor
Pittsburgh, PA 15222

Direct Telephone Calls to: *(name and telephone number)*

Philip E. Levy, Esq., (412) 918-1100

Full name of sole or first inventor

Eric Teller

Sole or first inventor's signature

Residence

Pittsburgh, Pennsylvania 15207

Citizenship

United States

Post Office Address

4019 Winterburn Avenue

Date
7/27/01

Full name of second inventor, if any

John M. Stivoric

Second inventor's signature

Residence

Pittsburgh, Pennsylvania 15201

Citizenship

Canada

Post Office Address

1411 Hawthorne Street

Date
7/27/01

Full name of third inventor, if any Christopher D. Kasabach	
Third inventor's signature <i>Chris Kasabach</i>	Date 7/27/01
Residence Pittsburgh, Pennsylvania 15217	
Citizenship United States	
Post Office Address 5890 Hobart Street	

Full name of fourth inventor, if any Christopher D. Pacione	
Fourth inventor's signature <i>Christopher D. Pacione</i>	Date 7/27/01
Residence Pittsburgh, Pennsylvania 15212	
Citizenship United States	
Post Office Address 1217 Filson Street	

Full name of fifth inventor, if any John L. Moss	
Fifth inventor's signature <i>John L. Moss</i>	Date 7/27/01
Residence Monroeville, Pennsylvania 15146	
Citizenship United States	
Post Office Address 113 Pagoda Drive	

Full name of sixth inventor, if any Craig B. Liden	
Sixth inventor's signature <i>Craig B. Liden</i>	Date 7/27/01
Residence Sewickley, Pennsylvania 15143	
Citizenship United States	
Post Office Address 1678 Sturbridge Drive	